

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DYNAPASS IP HOLDINGS LLC, v. AMAZON.COM, INC.	C.A. No. 2:23-cv-00063 (Lead Case) JURY TRIAL DEMANDED
v. EXPERIAN INFORMATION SOLUTIONS, INC.	C.A. No. 2:23-cv-00066 (Member Case)

**PLAINTIFF DYNAPASS IP HOLDINGS LLC’S RESPONSE TO
DEFENDANT EXPERIAN INFORMATION SOLUTIONS INC.’S OBJECTIONS TO
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Plaintiff Dynapass Holdings, LLC (“Plaintiff”) responds to Defendant Experian Information Solutions Inc.’s (“Experian”) Objections to the Report and Recommendation (the “Report and Recommendation,” Dkt. 145).

Experian’s objections repeat the same arguments that were already considered and properly rejected by Judge Payne. Additionally, it is beyond reasonable dispute that the trial court need not proceed to the second step of the *Alice* framework if it determines that the claims at issue are not directed to a patent-ineligible concept under *Alice* step 1. *Data Engine Techs. LLC v. Google LLC*, 906 F.3d 999, 1007 (Fed. Cir. 2018) (“If the claims are not directed to a patent-ineligible concept under *Alice* step 1, the claims satisfy § 101 and we need not proceed to the second step.”) (internal quotation marks omitted). Therefore, Plaintiff respectfully submits that the Report and Recommendation is well-reasoned, fully supported by the law and facts, and should be adopted by the Court.

Dated: May 24, 2024

By: /s/ Fred I. Williams
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 24, 2024, the undersigned caused a copy of the foregoing document to be served on all counsel of record via the Court's CM/ECF system, pursuant to the Federal Rules of Civil Procedure.

/s/ Fred I. Williams
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